UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 October 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7,11-13,17 and 18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7,11-13,17 and 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   In the amendment enclosed with the Request for Continued Examination

received 05/08/2009 (the "amendment"), Applicant has amended claims 7 and 13; and

canceled claims 8, 10, 14 and 16.

Claims 7, 11-13, 17 and 18 are pending.

Response to Arguments

2.   Applicant's arguments in the amendment, with regard to the rejection of claims 7,

8, 10, 11, 13, 14, 16 and 17 under 35 USC 103(a) as being unpatentable over Seifert

(US Pub. No. 20040068543) in view of Malik (US Pub. No. 20020065891), have been

fully considered but they are not persuasive, and they are moot in view of the new

ground(s) of rejection.

In the amendment, Applicant argues that each of claims 7 and 13 is allowable

over the cited references, because "one skilled in the art . . . would not conceive the

'selecting means' as recited in claim [7]" (page 7, 3rd ¶).

In response, the examiner traverses and offers the following argument and

evidence in support of the traversal:

Each of claims 7 and 13 is not allowable over the cited references, because

Malik teaches the "input unit" and "selecting means" as recited in each of claims 7 and

13. This conclusion is supported as follows.

Claim 7 recites, in applicable part:

an input unit for inputting an address when transmitting data; and

selecting means for selectively accepting one of,

(a) only the registered partial address of the transmission

permissible address,

(b) only the registered partial address of the receiving address, and

(c) the registered partial address of the transmission permissible

address and the registered partial address of the receiving address,

by inhibiting transmission of data to the address, input by the input unit,

containing no registered partial address.

Malik discloses an e-mail server which includes a domain name database 20, a

domain name checker 22, a Message Store 23 which stores e-mail messages that are

received in the e-mail communications network, and an MTA server 24 which accepts

mail [f]or delivery and may hold it (Figure 2; [0030]). When a user attempts to send an

e-mail communication including at least one destination e-mail address, it is transmitted

from the user's networked computer along a LAN and is received in the network e-mail

server in step 51. The checker extracts the domain name from the proposed recipient's

e-mail address in step 52, and checks the provided domain name in step 53. If the

domain name database contains the provided domain name, the e-mail server

processes the email communication according to http protocol in step 54, and forwards

the e-mail along the Internet gateway for transmission in step 55 ([0037]). If the domain

name database does not detect the extracted domain name in step 53, the system

provides a prompt to the user in step 56. The user can then decide in step 57 whether

to confirm the e-mail address, correct the e-mail communication, or cancel delivery, in

steps 58, 59, and 60, respectively ([0038]).

In this disclosure of Malik, the *transmitting of the e-mail communication including*

at least one destination e-mail address to the network e-mail server, teaches "inputting

an address [e.g., to the server] when transmitting data". The *user's networked*

computer which transmits the e-mail including the destination address, teaches "an

input unit for inputting an address when transmitting data".

Further in this disclosure of Malik, the *proposed recipient's e-mail address*

teaches "the receiving address". The *domain name extracted from the proposed*

recipient's e-mail address, teaches the "partial address of the receiving address". The

provided domain name contained in the database, teaches "the registered partial

address of the receiving address". The *processing and forwarding of the email*

communication if the domain name database contains the provided domain name,

teaches "selectively accepting one of . . . only the registered partial address of the

receiving address". The *e-mail server which includes the domain name database and*

domain name checker and which processes and forwards the e-mail for transmission if

the domain name database contains the provided domain name, teaches the "selecting

means for selectively accepting one of, . . . (b) only the registered partial address of the

receiving address". The *destination address of the e-mail transmitted by the user's networked computer*, teaches "the address, input by the input unit". The *proposed recipient's e-mail address from which is extracted the domain name not detected in the domain name database*, teaches "the address, input by the input unit, containing no registered partial address". The *providing a prompt to the user to confirm, correct or cancel the e-mail, instead of processing and forwarding the e-mail for transmission, if the domain name database does not detect the extracted domain name*, teaches "inhibiting transmission of data to the address, input by the input unit, containing no registered partial address". The *e-mail server transmitting the e-mail if the database contains the provided domain name, and providing a prompt to the user to confirm, correct or cancel the e-mail if the database does not detect the extracted domain name*, teaches the "selecting means for selectively accepting one of, . . . (b) only the registered partial address of the receiving address, . . . by inhibiting transmission of data to the address, input by the input unit, containing no registered partial address".

Thus, Malik teaches the "input unit" and "selecting means" as recited in each of claims 7 and 13. For these reasons, and those given below, the claims are rejected based on the new ground(s) of rejection, below.

Claim Objections

3.   Claims 7 and 13 are objected to because of the following informalities: In the 4th line of claim 7 and the 3rd line of claim 13, please delete the phrase "that is".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims **7, 11, 13 and 17** are rejected under 35 U.S.C. 102(b) as being

anticipated by **Malik** (US Pub. No. 20020065891).

With regard to claim **7**, <u>Malik teaches</u>: A data transmitting apparatus which

transmits data, comprising:

a controller that performs operations of:

registering, in a storing unit, a partial address of a transmission

permissible address of sending ends of data (i.e., in an email server including a

domain name database 20 and a domain name checker 22 (Figure 2; [0030]),

the domain name database 20 stores domain names extracted from addresses

of e-mail received in the e-mail server (Figure 4; [0034], [0035])), said partial

address that is in common with a plurality of addresses (i.e., in Figure 4, each of

"Domain Name[s]" "tower", "micropoint" and "glasses" is in common with a

plurality of "Recipients"),

registering, in the storing unit, a receiving address of receiving ends of

data including a partial address of the receiving address assigned thereto so as

to receive data (i.e., the system may add, to the domain name database, a

domain name extracted from the e-mail address of a proposed recipient of an

outgoing e-mail, where the extracted domain name is not detected in the domain

name database, if a user confirms the e-mail address (Figure 5; [0037])), and

restricting data transmission to the addresses that contain the partial

address registered in the storing unit as at least one of the transmission

permissible address and the receiving address (i.e., if the domain name

database in the email server contains the provided domain name, the e-mail

server processes and forwards the e-mail for transmission ([0037]); if the domain

name database does not detect 53 the extracted domain name, the system

provides 56 a prompt to the user to confirm, correct or cancel the email ([0038]));

an input unit for inputting an address when transmitting data (i.e., a user's

networked computer transmits 51 an e-mail communication including at least one

destination e-mail address, to the e-mail server ([0037])); and

selecting means for selectively accepting one of,

(a) only the registered partial address of the transmission permissible

address,

(b) only the registered partial address of the receiving address (i.e., the e-

mail server, which includes the domain name database and domain name

checker, processes and forwards the e-mail for transmission 55 if the domain

name database contains the provided domain name ([0037])), and

(c) the registered partial address of the transmission permissible address

and the registered partial address of the receiving address,

by inhibiting transmission of data to the address, input by the input unit, containing no

registered partial address (i.e., the system provides 56 a prompt to the user to confirm

58, correct 59 or cancel 60 the e-mail if the domain name database does not detect 53

the extracted domain name ([0038])).

With regard to claim **11**, <u>Malik teaches</u>: The data transmitting apparatus

according to claim 7, wherein said addresses are e-mail addresses, and said partial

address is a domain except for a user name ([0037]).

With regard to claim **13**, <u>Malik teaches</u>: A data transmitting apparatus which

transmits data, comprising:

first registering means for registering, in a storing unit, a partial address of a

transmission permissible address of sending ends of data (i.e., in an email server

including a domain name database 20 and a domain name checker 22 (Figure 2;

[0030]), the domain name database 20 stores domain names extracted from addresses

of e-mail received in the e-mail server (Figure 4; [0034], [0035])), said partial address

that is in common with a plurality of addresses (i.e., in Figure 4, each of "Domain

Name[s]" "tower", "micropoint" and "glasses" is in common with a plurality of

"Recipients");

second registering means for registering, in the storing unit, a receiving address

of receiving ends of data including a partial address of the receiving address assigned

thereto so as to receive data (i.e., the system may add, to the domain name database, a

domain name extracted from the e-mail address of a proposed recipient of an outgoing

e-mail, where the extracted domain name is not detected in the domain name database,

if a user confirms the e-mail address (Figure 5; [0037]));

restriction means for restricting data transmission to the addresses that contain

the partial address registered in the storing unit as at least one of the transmission

permissible address and the receiving address (i.e., if the domain name database in the

email server contains the provided domain name, the e-mail server processes and

forwards the e-mail for transmission ([0037]); if the domain name database does not

detect 53 the extracted domain name, the system provides 56 a prompt to the user to

confirm, correct or cancel the email ([0038]));

input means for inputting an address when transmitting data (i.e., a user's

networked computer transmits 51 an e-mail communication including at least one

destination e-mail address, to the e-mail server ([0037])); and

selecting means for selectively accepting one of,

(a) only the registered partial address of the transmission permissible

address,

(b) only the registered partial address of the receiving address (i.e., the e-

mail server, which includes the domain name database and domain name

checker, processes and forwards the e-mail for transmission 55 if the domain

name database contains the provided domain name ([0037])), and

(c) the registered partial address of the transmission permissible address

and the registered partial address of the receiving address,

by inhibiting transmission of data to the address, input by the input unit, an input of an

address containing no partial address registered in the storing unit (i.e., the system

provides 56 a prompt to the user to confirm 58, correct 59 or cancel 60 the e-mail if the

domain name database does not detect 53 the extracted domain name ([0038])).

With regard to claim **17**, <u>Malik teaches</u>: The data transmitting apparatus

according to claim 13, wherein said addresses are e-mail addresses, and said partial

address is a domain except for a user name ([0037]).

6.   Claims **12 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Malik in view of **Nishida et al.** (US Pat. No. 6972858) (or "Nishida").

With regard to claim **12**, <u>Malik teaches</u>: The data transmitting apparatus

according to claim 7 (see discussion above).   With regard to claim **18**, <u>Malik teaches</u>:

The data transmitting apparatus according to claim 13 (see discussion above).   With

further regard to each of claims **12 and 18**, <u>Malik does not disclose, but Nishida</u>

<u>teaches</u>: an Internet facsimile apparatus that transmits image data (i.e., where a

receiver side has Internet facsimile capabilities, an IFAX processing section transmits

image data as an E-mail over the Internet (Abstract), *in order to automatically recognize*

whether or not a receiver side has IFAX functions).   <u>Based on Malik in view of Nishida</u>, it

would have been obvious to one having ordinary skill in the art at the time Applicant's

invention was made, to combine the teaching of Nishida with the claimed subject matter

as taught by Seifert in view of Malik, in order to automatically recognize whether or not a

receiver side has IFAX functions.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John Isom whose telephone number is (571)270-7203.

The examiner can normally be reached on Monday through Friday, 9:30 a.m. to 6:00

p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571)272-4036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. I./
Examiner, Art Unit 2447
1/21/2010

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 2447